

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DEAN VILLANOVA,**  
**Plaintiff,**

**v.**

**UNITED STATES OF AMERICA, et al.,**  
**Defendants.**

:  
:  
:  
:  
:  
:  
:  
:

**Civ. No. 24-1170**

---

**ORDER**

**AND NOW**, this 17th day of September 2024, upon consideration of Plaintiff's Complaint (Doc. No. 1), Defendant United States's Motion to Dismiss (Doc. No. 9), Defendant City of Philadelphia's Motion to Dismiss (Doc. No. 15), the Parties' Responses (Docs. No. 10, 13, 14, 16, 19, 26), and all relevant submissions, it is hereby **ORDERED** that:

1. Defendant United States's Motion (Doc. No. 9) is **GRANTED**.
2. Plaintiff's Federal Tort Claims Act claim (Count One) against Defendant United States is **DISMISSED with prejudice**.
3. Plaintiff's state law claims against the City of Philadelphia and MainStreme Productions (Counts Two and Three) are **DISMISSED without prejudice**.
4. Defendant City of Philadelphia's Motion to Dismiss (Doc. No. 15) is **DENIED** as moot.
5. Defendant MainStreme Production's cross-claim (Doc. No. 13) is **DISMISSED** as moot.

**AND IT IS SO ORDERED.**

*/s/ Paul S. Diamond*

---

Paul S. Diamond, J.